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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/613,658	SANZARI, MARTIN A.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Faye Polyzos	2878	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 28 July 2005.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached.
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

### ***Comment on Submissions***

1. This communication is responsive to submissions 28 July 2005.

### ***Allowable Subject Matter***

2. Claims 1-26 are allowed.
3. The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1 and 12, the prior art does not disclose or fairly suggest a method or apparatus for determining the presence or absence on a base material of a second material comprising: directing at an inspection site on a surface of the base material radiation of two different wavelength, measuring the intensity of reflected radiation resulting from the radiation directed at the inspection site to determine the presence or absence of the second material at the inspection site based on the intensity of the reflected radiation resulting from directing radiation of one of the wavelengths relative to the intensity of the reflected radiation resulting from directing radiation of the other wavelength.

The examiner notes that while it is known in the art of a system, for monitoring icing and de-icing of an aircraft, comprising a test beam and a reference detector each at two different frequencies being directed to a test detector wherein a reference detector and the detection of the difference between the outputs of the test detector and the reference detector indicates the presence of moisture and/or ice on the test surface to monitor onset of ice formation on the aircraft (see for example *Sinnar et al – US 4,808,8241 – Fig. 1 and page 2, [0023]*), upon reconsideration it is agreed that the prior

art does not suggest a method in which the difference between the absorptions of the two test beams is used to determine whether the coating material or the bare base material is being detected by comparing the absorption of two different frequencies, where the difference in absorption of the two frequencies is different for the base material and the second material or substance.

Regarding independent claim 11, the prior art does not disclose or fairly suggest a method for determining whether a substance is present on a base material at an inspection site comprising the steps of: generating an output signal indicating whether the substance is present at the inspection site based on the difference between the first absorption value and the second difference absorption value wherein the substance absorbs one of the first and second wavelengths substantially more than the other of the first and second wavelengths, and the base material absorbs the first and the second wavelengths are more equally than the substance.

The examiner notes that while it is known in the art of a system, for monitoring icing and de-icing of an aircraft, comprising a test beam and a reference detector each at two different frequencies being directed to a test detector and a reference detector to monitor onset of ice formation on the aircraft (see for example *Sinnar et al – US 4,808,8241 – Fig. 1 and page 2, [0023]*), upon reconsideration it is agreed that the prior art does not suggest a method in which the difference between the absorptions of the two test beams is used to determine whether the coating material or the bare base material is being detected by comparing the absorption of two different frequencies,

where the difference in absorption of the two frequencies is different for the base material and the second material or substance.

The remaining claims are allowable based on their dependency.


**Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faye Polyzos whose telephone number is 571-272-2447. The examiner can normally be reached on Monday thru Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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DAVID PORTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800